

Which I have caused to be deposited in the office of the Secretary of State.

And I return to the Committee of Enrollments a Resolution, because it has no *title*.  
THOMAS BROWN.

On motion, the rule was waived so as to allow Mr. Finley to introduce without previous notice,

A bill to be entitled An Act to establish a Board of Dental Surgeons for the State of Florida,

Was read a first time, the rule waived, read a second time by its title and referred to the Committee on the Judiciary.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, January 1, 1853.

The Senate met pursuant to adjournment. Rev. Mr. Zealey officiated as chaplain.

A quorum being present, the journal of yesterday's proceedings were read and approved.

On motion of Mr. Johnson, the vote had yesterday on a bill to be entitled An Act to amend the laws in force in this State in relation to relinquishment of dower was reconsidered.

On motion, the rule was waived so as to allow Mr. Johnson to introduce without previous notice,

A bill to be entitled An Act to amend an act entitled an act to provide for the election of Electors of President and Vice President of the United States, approved January 6th, 1847 ;

Which bill was placed among the orders of the day.

Mr. Snell offered the following resolution, viz :

Resolution for the relief of Azor Umstead.

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Comptroller be, and he is hereby instructed to audit the account of Azor Umstead, for the amount offered in the reward offered by the Governor, in his proclamation, for the capture of Jose Perfina, alias India, and the Treasurer is hereby instructed to pay the same out of any money remaining in the Treasury not otherwise appropriated.

Which was read a first time and ordered for a second reading on Monday next.

Mr. Johnson from the Committee on Internal Improvements made the following report :

The Committee on Internal Improvements, to whom was referred a bill to be entitled "An Act to provide for the location, survey and completion of a Canal connecting the waters of the St. Johns and Indian rivers, have considered the bill, and ask leave to report :

This bill provides, first, for the appropriation of five thousand dollars for the examination and survey of the country between the St. Johns and Indian rivers, with a view to connect these waters and drain the overflowed lands. Secondly, for the appointment of an engineer and other persons to form a board to make contracts and

complete a canal, &c., and the appropriation of sixty thousand dollars for the completion of said canal.

Your Committee are deeply impressed with the importance of the proposed work, affording a safe inland passage between the Eastern and Southern sections of the State ; but look upon the appropriation of money from this Fund, before any part of it is received, and before the State has received a transfer of the lands, as premature and unwise, and report against the passage of the bill. In the meantime your Committee would recommend the examination, survey and estimates of the proposed work by a State Engineer, (should such an officer be appointed,) for the information and action of a future General Assembly. Your Committee report a resolution for that purpose and ask to be discharged.

Respectfully submitted,

ALLEN G. JOHNSON,

Chairman.

Resolution requesting the Governor of this State to cause the State Engineer to examine and Report the cost and practicability of connecting the St. Johns and Indian rivers, by a navigable canal.

*Be it Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the Governor of this State be, and he is hereby requested to cause the State Engineer to survey and estimate the cost and practicability of connecting the waters of the St. Johns and Indian rivers by a navigable canal, for the information of the next General Assembly of this State.

Which was received and read, and the report together with the bill and resolution placed among the orders of the day.

Mr. Baldwin from the Committee on Schools and Colleges made the following report :

The Committee on Schools and Colleges, acting under the instructions of the Senate, have instructed the undersigned to report the following resolutions and ask to be discharged.

JOHN P. BALDWIN,

Chairman.

Which was received, and the bill together with the report, placed among the orders of the day.

Mr. Gonzalez from the Committee on Claims, made the following report :

The Committee on Claims and Accounts, to whom was referred the bill entitled An Act for the relief of J. W. Bozeman have had the same under consideration and ask leave to report :

That the evidence in the case, from what we have been enabled to discover, appears to be thus :—A Mr. Beckman was, in a fight, cut to such extent that he died ; but previously to his death a large amount of calomel was given him, and your Committee see no reason for a *post mortem* examination to be had, except that it was to ascertain whether the wounds or medicine killed him—and it is not to be supposed that it was for the latter purpose, as Mr. Bozeman

appears to have been the physician. The Coroner, however, on the inquest, it seems, desired and ordered the body of Beckman to be cut open, and, inasmuch as such was the case, your Committee recommend the passage of the bill with the following amendment, viz: after the words "J. W. Bozeman," the words "one hundred" be stricken out, and "twenty-five" inserted in lieu thereof—so that the bill will then read "twenty-five dollars."

SAMUEL Z. GONZALEZ,

Chairman.

Which was received, and the bill placed among the orders of the day.

Mr. Provence from the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred a bill to be entitled An Act to amend the act incorporating the city of Pensacola, approved March 2, 1839, have had the same under consideration and report:

That they recommend the passage of the said bill.

DAVID PROVENCE, Chairman.

Which was read and the bill placed among the orders of the day.

Mr. Finley from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills, report as correctly engrossed:

An Act to repeal an act to declare Spring creek, commonly known as Robinson's Spring creek, in Jackson county, a navigable stream.

And also, An Act to amend the laws in force in this State, in relation to the relinquishment of dower by married women.

J. J. FINLEY,

Chairman.

Which was received and the bill placed among the orders of the day.

Mr. Provence from the Committee on Corporations, made the following report:

The Committee on Corporations, to whom was referred, a bill to be entitled An Act to incorporate the town of Marianna, have had the same under consideration and beg to report:

That they recommend the passage of the said bill.

DAVID PROVENCE,

Chairman.

Which was received and the bill placed among the orders of the day.

The following Message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }  
December 31st, 1852. }

*Honorable President of the Senate:*

SIR,—The House have passed the following bill and resolutions, viz:

Bill to be entitled An Act to build a free bridge across the Ocilla river;

Resolution urging upon Congress the necessity of clearing out the Ocklawaha river;

Resolution for the relief of Silas Weeks.

Respectfully,

JOHN DICK,

Clerk of House of Representatives.

Which was received and read.

Also the following, viz:

HOUSE OF REPRESENTATIVES, }  
December 31st, 1852. }

*Hon. President of the Senate:*

Sir—The House have concurred in the Senate amendments to House bill to be entitled An Act to amend an act entitled an act to incorporate the Florida Atlantic and Gulf Central Rail Road Company, and for other purposes;

The House have also concurred in the report of the Committee of Conference on House bill to be entitled An Act in addition to and amendatory of the several acts concerning Writs of Error and Appeal to the Supreme Court;

The House adheres to its amendments to Senate bill to be entitled An Act to amend an act entitled an act to provide for the establishment of two Seminaries of Learning, and have appointed Messrs. Long, Dell and Maghee a committee of conference to act with a similar committee on the part of the Senate relative to said bill.

The House refuses to concur in the Senate amendments to House bill to be entitled An Act to amend the laws now in force relating to Divorces, and have appointed Messrs. Hopkins, Long and Tumbler a committee of conference on the part of the House on said bill to act with a similar committee on the part of the Senate.

Very respectfully,

JOHN DICK,

Clerk House Representatives.

Which was received and read, and the bills placed among the orders of the day.

## ORDERS OF THE DAY.

A bill to be entitled An Act to repeal an act to declare Robinson's Spring Creek, a navigable stream,

Was read a third time, and upon the question of its passage, the vote was as follows:

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Buddington, Finley Gillis, Gonzalez, Johnson, Long, Moseley, Provence, Smith, Snell, Stewart and Wynn—15.

NAYS—None.

So the bill passed—title as stated.

*Ordered*, That the same be certified to the House of Representatives.

A bill to be entitled, An Act to amend the Laws now in force in this State in regard to the relinquishment of dower,

Came up, when the vote had on the same yesterday, was reconsidered, and the bill was placed on a second reading, when Mr. Johnson offered the following amendment :

Strike out all after the enacting clause and insert, that hereafter married women, shall only be entitled to dower in the estate of which their husbands die seized and possessed, and it shall not be necessary for wives to join their husbands in the conveyance of the real estate of the husband, in order to convey a perfect fee simple title thereto, or in any other manner to relinquish her right of dower in the real estate of her husband. *Provided*, That any conveyance made fraudulently to children or others, with an intention to defeat the widow of her dower in the estate of her husband, shall be held and deemed to be void, and said widow shall be entitled to dower in such land so fraudulently conveyed, as if no conveyance had been made.

Which amendment was adopted, and the bill ordered to be engrossed for a third reading on Monday next.

Mr. Long, from the Committee on the Judiciary, made the following report, viz :

The Judiciary Committee, to whom was referred a bill to be entitled "An Act repealing certain existing rules of descent," have considered the same, and have unanimously instructed the undersigned to recommend that said bill do not pass. There does not appear to exist any valid reason for the proposed amendment ; but if the Senate should determine to alter the rules of descent in the manner proposed, the Committee think the same should be done so as not to operate upon cases now pending, which would be the result of the passage of the bill in its present shape.

Respectfully submitted,

M. A. LONG,  
Chairman Judiciary Committee.

Which was read and received, and the bill placed among the orders of the day.

A bill to be entitled An Act to provide for the payment pro rata of the debts of Insolvent estates,

Was read a second time and ordered to be engrossed for a third reading on Monday next.

House bill to be entitled An Act for changing the names of persons residing in this State,

Was read a second time, when the amendments proposed by the Committee on the Judiciary, were adopted and ordered to be engrossed for a third reading on Monday.

House bill to be entitled An Act to authorize Joseph S. Phelps to establish a Ferry across the Withlacoochee River.

Was read a second time,

When Mr. Johnson moved to amend said bill by striking out the fourth section ;

Which amendment was concurred in, and the bill ordered for a third reading on Monday next.

House bill to be entitled An Act to amend an act to secure the swamp and overflowed lands lately granted to the State, and for other purposes,

Was read a second time and referred to the Committee on Internal Improvements.

House bill to be entitled An Act in relation to the County Site of Wakulla County,

Was read a third time, and on the question of its passage, the vote was—

YEAS—Mr. President, Messrs. Buddington, Finley, Forsyth, Johnson, Long, Moseley, Smith and Stewart—9.

NAYS—Messrs. Baldwin, Blackburn, Kilcrease and Snell—4.

So the bill passed—title as stated.

*Ordered*, That the same be certified to the House of Representatives.

House resolution relative to the account of R. A. Shine, Quarter-Master General, and for other purposes,

Was read a second time, and on motion, referred to the Committee on Claims and Accounts.

House bill to be entitled An Act to provide for legal proceedings against corporations and persons claiming exclusive privileges by public grants, who have incurred forfeitures of the same, by *non user*,

Was read a third time,

And upon the question of its passage, the vote was :

YEAS—Messrs. Baldwin, Blackburn, Forsyth, Provence, Smith and Wynn—6.

NAYS—Messrs. Buddington, Johnson, Long, Moseley and Stewart—5.

So the bill passed, title as stated.

*Ordered*, That it be certified to the House of Representatives.

House bill to be entitled An Act in relation to Judicial proceedings in certain cases,

Was read a third time, and upon the question of its passage, the vote was :

YEAS—Messrs. Blackburn, Buddington, Moseley and Wynn—4.

NAYS—Mr. President, Messrs. Forsyth, Johnson, Long, Provence, Smith and Stewart—7.

So the bill was lost.

*Ordered*, That the same be certified to the House of Representatives.

A bill to be entitled An Act to repeal the following acts, to wit :

An Act to organize the Supreme Court of the State of Florida, approved January 11, 1851 ; Also,

An Act to amend an act to organize the Supreme Court of the State of Florida, approved, January 24th, 1851,

Was read a second time and referred to the Committee on the Judiciary.

A bill for the relief of William Crawford,

Was read a third time, and on the question of its passage the vote was :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Buddington, Forsyth,, Johnson, Long, Moseley, Provence, Smith, Stewart and Wynn—12.

NAYS—None.

So the bill passed—title as stated.

Ordered, That the same be certified to the House of Representatives.

House bill to be entitled An Act to amend an act of the 24th July, 1845, entitled an act to raise a Revenue, &c., &c.,

Was read a third time, and on the question of its passage the vote was as follows :

YEAS—Mr. President, Messrs. Blackburn, Buddington, Forsyth, Johnson, Long, Moseley, Smith, Stewart and Wynn—10.

NAYS—Messrs. Baldwin and Provence—2.

So the bill passed—title as stated.

Ordered, That the same be certified to the House of Representatives.

House bill to be entitled An Act to fix and regulate the rates of Wharfage, Storage and Weighing of goods at the town of Palatka,

Came up, when the amendments made by the Senate to said bill were adhered to, and a committee of conference appointed on the part of the Senate, consisting of Messrs. Provence, Buddington and Stewart, to act with a similar committee on the part of the House

A bill to be entitled An Act to amend an act entitled an act to provide for the election of Electors of President and Vice President of the United States, approved, January 6, 1847,

Was read a first time, rule waived, read a second time, and ordered to be engrossed for a third reading on Monday next.

House bill to be entitled An Act providing for the location, survey and completion of a Canal connecting the waters of St. Johns and Indian rivers,

Came up with the report of the Committee on Internal Improvement, when the resolution of the committee was adopted in lieu of the original bill,

And the resolution read a first time and ordered for a second reading on Monday.

Mr. Blackburn, from the Committee on Elections, made the following report :

The Committee on Elections, to whom was referred the question of the contested election of Senator from the Seventeenth Senatorial District, beg leave to report :

That they have had the same under consideration and examined all the testimony submitted to them, from which it appears to their satisfaction that Thomas Henderson, who voted for Hawes, was not a resident and qualified voter of the district ; also, that the vote of James Eubarks, who voted for Hawes, was not legal, because he was a non-resident. And, also, that J. A. Reeves, who voted for contestant, was not a resident of the seventeenth district ; and, also, that Charles Ridgeley, who voted for contestant, was an illegal voter, being a resident of the State of Maryland.

It will thus be seen that there were two illegal votes given for each of the persons contesting—leaving the sitting member a majority of one legal vote, upon which he obtained the certificate of election.

We, therefore, ask the adoption of the following resolution :

Resolved, That George E. Hawes is duly elected Senator from the Seventeenth Senatorial District.

The Committee ask to be discharged from the further consideration of the subject.

All which is respectfully submitted.

E. E. BLACKBURN,  
Chairman.  
SAMUEL Z. GONZALEZ,  
ANGUS GILLIS,  
WM. B. WYNN.

Which report was received, and upon the adoption of the resolution, the yeas and nays were called for by Messrs. Blackburn and Johnson, and were :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Buddington, Finley, Forsyth, Gillis, Gonzalez, Johnson, Kilcrease, Long, Moseley, Provence, Snell, Stewart and Wynn—16.

NAYS—None.

So the Resolution was adopted.

On motion, the rule was waived, so as to allow Mr. Long to introduce, without previous notice,

A bill to be entitled An Act to provide for contesting the Validity of Wills in the Circuits Courts of this State,

Which bill was placed among the orders of the day.

Mr. Moseley moved, that the Senate take a recess till 3 o'clock ;

Upon which the yeas and nays were called for by Messrs. Blackburn and Gillis, and were :

YEAS—Mr. President, Messrs. Baldwin, Johnson, Moseley and Provence—5.

NAYS—Messrs. Blackburn, Buddington, Finley, Forsyth, Gillis, Gonzalez, Kilcrease, Long, Snell, Stewart and Wynn—11.

So the motion was lost.

A bill to be entitled An Act repealing certain existing rules of descent,

Was read a second time, amended, and ordered to be engrossed for a third reading on Monday next.

A bill to be entitled An Act to amend the act incorporating the city of Pensacola, approved March 2, 1839,

Was read a second time, and ordered for a third reading on Monday next.

A bill to be entitled An Act for the relief of Doctor J. W. Boze-man,

Was read a second time, when the amendments proposed by the Committee on Claims were adopted, and the bill ordered to be engrossed for a third reading.

House resolution, urging upon Congress the necessity of clearing out the Ocklawaha river,

Was read a first time, rule waived, read a second and third times and passed.

Ordered to be certified to the House.

House bill to be entitled An Act to build a free bridge across the Ocilla river,

Was read a first time, rule waived, read a second and third times, And upon the question of its passage the vote was :

YEAS—Messrs. Baldwin, Blackburn, Buddington, Forsyth, Gillis, Gonzalez, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell and Stewart—14.

NAYS—None.

So the bill passed—title as stated.

Ordered, To be certified to the House of Representatives.

House resolution for the relief of Silas Weeks,

Was read a first time, and ordered for a second reading on Monday next.

A bill to be entitled An Act supplementary to an act entitled an act to regulate the business of banking,

Was read a second time and referred to Committee on Judiciary.

A bill to be entitled An Act for contesting the validity of wills in the Circuit Courts of this State,

Was read a first time, rule waived, read a second time and referred to Committee on the Judiciary.

Mr. Moseley moved the Senate adjourn, till Monday evening next, at 5 o'clock.

Which motion was lost.

Mr. Blackburn moved the Senate adjourn till Monday, 12 o'clock,

Upon which motion the yeas and nays were called for by Messrs. Moseley and Johnson, and were :

YEAS—Messrs. Blackburn, Gonzalez, Kilcrease and Provence—5.

NAYS—Mr. President, Messrs. Buddington, Forsyth, Gillis, Johnson, Long, Moseley, Smith, Snell and Wynn—10.

So the motion was lost.

On motion of Mr. Kilcrease,

The Senate adjourned till Monday morning, 10 o'clock.

MONDAY, January 3d, 1853.

The Senate met pursuant to adjournment. The Rev. Mr. Asay officiated as chaplain.

A quorum being present, the journal of yesterday's proceedings were read and approved.

The following message was received from His Excellency, the Governor :

EXECUTIVE CHAMBER, FLORIDA, }  
January 1st, 1852. }

To the Hon. R. J. FLOYD,

*President of the Senate, &c.:*

Sir—I have approved and signed An Act to change an election precinct in the County of Nassau ; Also,

A resolution in relation to the Claims of James M. Bates, Which I have caused to be deposited in the office of the Secretary of State.

THOS. BROWN.

Which was read.

On motion of Mr. Wynn, the rule was waived, so as to allow him to introduce without previous notice,

A bill to be entitled An Act for the relief of John Clark ;

Which bill was placed among the orders of the day.

On motion, the bill relating to the changing of names of certain persons therein named,

Was taken from the table and referred to a select Committee consisting of Messrs. Blackburn, Finley and Long.

Mr. Snell offered the following resolution,

A Resolution respecting the removal of the Indians.

WHEREAS, it has been ascertained by recent information that the arrangements or agreement between the President of the United States and Billy Bowlegs and other chiefs of the Seminole Indians has been disregarded by the latter, and that the Indians are determined to remain in Florida unless they are removed by force: And whereas, the lives and property of the citizens of Florida are insecure and subject daily to the depredations of the merciless and marauding bands of Indians now inhabiting a large portion of our country, contrary to treaty stipulations and to the many and various agreements made and entered into by the said Indians to remove: And whereas, the Government of the United States is bound, by every consideration of justice and humanity and obligations of a character not inferior to those of a solemn contract, to remove said Indians, having sold the lands in their immediate neighborhood to the confiding pioneer, under the solemn and repeated assurances that their treacherous and cruel neighbors should be speedily removed to their homes in the West: And whereas, the various communications of the Secretary of War, George W. Crawford, to the late Gov. Wm. D. Moseley, and to His Excellency, Gov. Brown, repeatedly assuring them of the determination